IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 554 OF 2007
IN
WRIT PETITION NO. 8231 OF 2005

Kusum Lahanu Patil..... .....
Petitioner
V/s
Mun.Corporation of Greater Mumbai..... .....
Respondent.

Office Notes, Office Memoranda of Coram, appearances Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

---

Mr.Prakash Devdas , Adv. for the petitioner.

Ms.Nisha Dabhade, Adv. For the respondent.

CORAM: A.P. DESHPANDE, J.
24.4.2007

PC:

The respondent was made to compulsorily retire at the age of 55 years. The said action was called in question by respondent by filing ULP complaint before the Industrial Court. The Industrial Court has allowed the complaint and directed reinstatement of

the respondent herein with continuity in service and full back wages. Aggrieved by the judgment and order passed by the Industrial Court the present petitioner has taken exception to the same by filing present writ petition. This Court issued Rule on 12.4.2006 and interim relief had been granted on deposit full back wages. By present civil application the respondent/applicant is making limited prayer in the nature of issuing direction to the petitioner to release retiral/pensionary benefits by counting respondent's service till she was made to retire compulsorily on attaining the age of 55 years. This prayer has not been opposed by the petitioner and the same as a matter of fact could not have been opposed. Hence civil application is partly allowed. The petitioner is directed to release the retiral/pensionary benefits by treating her as in service till she attained the age of 55 years and made to retire. Retiral benefits shall be paid within a

period of two months from today. Prayer clause (c) stands rejected.

24.4.07.